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OFFICE OF THE ENGINEER-IN-CHIEF, WATER RESOURCES, ORISSA,
BHUBANESWAR-751001

ORDER

The 31st July 2008

No. 11827-Con-Pro-Vig-41/2008— WHEREAS, Berhampur Vigilance P.S. Case No. 36, dated the 10th December 1995 u/s (2) r/w 13 (1) (d)/7 P.C. Act, 1988 was registered against Shri Anil Kumar Panda, J.E. (c) No. 3059 (I) for demand and acceptance of illegal gratification to stand his trial in the Court of Law.

WHEREAS, on completion of trial, the Hon'ble Special Judge, Vigilance, Berhampur in his Judgement dated the 19th May 2006 held Shri Panda guilty and sentenced him to undergo rigorous imprisonment for two years and fine of Rs. 3000/- in default R.I. for three months more and for offence u/s 13(1) (d) P.C. Act r/w 13 (2) R.I. for one year and fine of Rs. 1000/- in default R.I. for two months for offence under P.C. Act, 1988.

WHEREAS, the apex court in criminal appeal No.770 of 2001 in the matter of K.C. Sareen Vrs. C.B.I., Chadigarh has held in their judgement that a corrupt public servant “convicted could not be allowed to hold public office and in terms of Rule 13 r/w Rule 18 of O.C.S. (C.C. & A) Rule, 1962 the Government servant who is convicted of charges of corruption he is liable to be dismissed from the Government service.

WHEREAS, the disciplinary authority after careful consideration of the case with other relevant materials available to this effect in pursuance of Rule 13 r/w Rule 18 of O.C.S. (C.C. & A) Rule, 1962 decided to impose major punishment of “**Dismissal**” from Government service on him.

WHEREAS, in pursuance of the provisions of the Article 311 (2) of the Constitution of India, the Show Cause Notice was issued vide this office No. 10223, dated the 6th July 2007 directing him to show cause within a period of 15 days from the date of receipt of this notice as to why the aforementioned punishment should not be imposed on him finally.

Accordingly he submitted his representation in response to above show cause notice vide his representation dated the 29th August 2007 against the proposed punishment.

NOW, THEREFORE, in pursuance of Rule 18 of O.C.S. (C.C & A) Rule, 1962 the disciplinary authority having considered the representation made by him against the show cause notice together with the order of conviction passed by the Hon'ble Special Judge, Vigilance, Berhampur and opinion of the Law Department *vise-viz* Verdict of Appex Court finally orders that, Shri Anil Kumar Panda, J.E. (C) No. 3059 (I) is reverted from Panchayati Raj Department and "Dismissed" form Government service from the date of issue of this Order.

Engineer-in-Chief,
Water Resources